

FORM PTO-1390 (Modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV. 11-2000)		ATTORNEY'S DOCKET NUMBER 487.1094
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (IF KNOWN, SEE 37.CFR) 10/511058
INTERNATIONAL APPLICATION NO. PCT/DE03/01215	INTERNATIONAL FILING DATE April 11, 2003	PRIORITY DATE CLAIMED April 12, 2002
TITLE OF INVENTION FOLDING TOP FOR A CABRIOLET VEHICLE		
APPLICANT(S) FOR DO/EO/US Klaus OBENDIEK		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). <i>unsworn</i> 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). 11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). 		
Items 13 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> 13. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 15. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 17. <input type="checkbox"/> A substitute specification. 18. <input type="checkbox"/> A change of power of attorney and/or address letter. 19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. 20. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 21. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 22. <input checked="" type="checkbox"/> Express Mail Label No. EV 382 790 558 US 23. <input checked="" type="checkbox"/> Other items or information: <ul style="list-style-type: none"> - Letter re: Priority - Application Data Sheet 		

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.53) 10/511058		INTERNATIONAL APPLICATION NO. PCT/DE03/01215		ATTORNEY'S DOCKET NUMBER 487.1094	
--	--	--	--	---	--

24. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :			CALCULATIONS PTO USE ONLY		
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO	\$1080.00				
<input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO	\$920.00				
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$770.00				
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)	\$730.00				
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)	\$100.00				
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$950.00			
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).			\$0.00		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	38 - 20 =	18	x \$18.00	\$324.00	
Independent claims	2 - 3 =	0	x \$84.00	\$0.00	
Multiple Dependent Claims (check if applicable).			<input type="checkbox"/>	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$1,274.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$0.00	
SUBTOTAL =				\$1,274.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).			+	\$0.00	
TOTAL NATIONAL FEE =				\$1,274.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).			<input type="checkbox"/>	\$0.00	
TOTAL FEES ENCLOSED =				\$1,274.00	
				Amount to be refunded	\$
				charged	\$

a. ☒ A check in the amount of **\$1,274.00** to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.

c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **50-0552**

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Davidson, Davidson & Kappel, LLC
 485 Seventh Avenue, 14th Floor
 New York, NY 10018
 (718) 736-1940

SIGNATURE

Cary S. Kappel
NAME

36,561
REGISTRATION NUMBER

October 12, 2004
DATE

10/511058

DT04 Rec'd PCT/PTO 12 OCT 2004

Certificate of Mailing By Express Mailing under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 in an envelope addressed to:

Mail Stop: PCT
Commissioner for Patents
P.O. Box 1450; Alexandria, VA 22313-1450

on October 12, 2004.

Date



Signature

Mark McLean

Typed or printed name of person signing Certificate

EV 382 790 558 US

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing by Express Mail, or this certificate must identify each submitted paper.

Re.: Docket No.: 487.1094
Applicant(s): Klaus OBENDIEK
Serial No.: To be assigned
Invention: FOLDING TOP FOR A CABRIOLET VEHICLE
Filing Date: Herewith as national phase of International Application No. PCT/DE03/01215,
filed April 11, 2003

- Transmittal Letter to the U.S. Designated/Elected Office Concerning a Filing Under 35 U.S.C 371 (2 pages);
- Copy of Int. Patent Application PCT/DE03/01215 w/ Int. Search Report (61pages);
- Translation of Int. Patent Application PCT/DE03/01215 (24 pages);
- Twenty-seven (27) Sheets of Formal Drawings;
- Preliminary Amendment (10 pages)
- Unexecuted Declaration and PoA (1 page);
- Application Data Sheet (2 pages);
- Letter re: Priority (1 page);
- Information Disclosure Statement with PTO-1449 (3 pages) and copies of cited references;
- Check for \$1,274.00;
- Return Receipt Postcard